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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/522,586

10/04/2005

Bert Von Stein

SEGE3003/FJD

5634

23364 7590 09/03/2008

BACON & THOMAS, PLLC

625 SLATERS LANE

FOURTH FLOOR

ALEXANDRIA, VA 22314-1176

EXAMINER

TAHA, SHAQ

ART UNIT

PAPER NUMBER

2146

MAIL DATE

DELIVERY MODE

09/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/522,586	Applicant(s) VON STEIN ET AL.	
	Examiner SHAQ TAHA	Art Unit 2146	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7 - 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7 - 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>01/26/2005, 10/04/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is a Non-final action for application number 10/522,586 filed on 10/04/2005. Claims 7 – 12 are currently pending and have been considered below. Claim 7 is an independent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7 – 10, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Cheng et al (US 2002/0078161).

Regarding claim 7, a method for updating device descriptions for field devices in process automation technology, where a control unit, **[Fig. 1, Ref # 200, wherein the UPnP enabling device controls the field devices 150, 160, 170, and 18]**, and an external server are employed, **[Fig. 1, Ref #110 which is connected to external server 130 and a controller 120]**, comprises the step of: downloading device descriptions for the field devices from the external server utilizing an application program in the control unit, **[file server 130 is configured to contain the detailed information required to effect the UPnP notification, coordination, and control**

functions for each identified device, as well as the mapping between the advertised UPnP commands and the corresponding device and network specific commands, wherein updating the device description by using the information stored at the external server, (Cheng et al., Paragraph 44, Page 4)].

Regarding claim 8, a method as claimed in claim 7, wherein: the application program queries the server, in regular intervals, as to whether new device descriptions are available, **[Depending upon the available memory at the UPnP enabling device 200, the processor 220 fills in the discovery, presentation, and description information at the databases 515, 525, 535, respectively, wherein if the information of the device is available to update the device, (Cheng et al., Paragraph 44, Page 4)].**

Regarding claim 9, the method as claimed in claim 7, wherein: the device descriptions are device descriptions DDs, **[providing an API for querying device description, wherein it is DDs, (Cheng et al., Paragraph 59, Page 5)].**

Regarding claim 10, the method as claimed in claim 7, wherein: preconfigured device descriptions are stored in the server, **[the amount of information required to be stored at the device description database 535, or at the file server 130, (Cheng et al., Paragraph 58, Page 5)].**

Regarding claim 12, the method as claimed in claim 7, wherein: the control unit and the server are connected with one another via the Internet, **[Fig. 1, Ref # 110 wherein the internet is connected to the external server 130 and control unit 200]**.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng et al. (US 2002/0078161), in view of Aaker et al. (US 6,011,915).

Regarding claim 11, Cheng et al. providing a method and system for coupling IP networks with non-IP networks, **(Cheng et al., Paragraph 8, Page 1)**,

Cheng et al. fails that the device descriptions in the server are saved in respective national languages,

Aaker et al. teaches that if a device name was not included among the environment information, a search is done for an existing device description that is not in use and that matches the characteristics passed up from the client, **(Aaker et al., Col. 10, Lines 50-55)**, to run on such mid-range and mainframe computing systems

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and to represent a significant investment for business concerns, (**Aaker et al., Col. 1, Lines 38 – 45**),

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Cheng et al. by including fails that the device descriptions in the server are saved in respective national languages, wherein Aaker et al. teaches that if a device name was not included among the environment information, a search is done for an existing device description that is not in use and that matches the characteristics passed up from the client, (**Aaker et al., Col. 10, Lines 50-55**), to run on such mid-range and mainframe computing systems and to represent a significant investment for business concerns, (**Aaker et al., Col. 1, Lines 38 – 45**).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Shaq Taha** whose telephone number is 571-270-1921. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Jeff Pwu** can be reached on 571-272-6798.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free?).

/S. T./

Examiner, Art Unit 2146

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2146